

## REMARKS/ARGUMENTS

### DRAWINGS

In the August 4, 2003 Office Action, Figure 1 was objected to for failure to label it as "prior art". Applicant submits herewith revised drawings illustration that Figure 1 is now appropriately labeled "prior art". The drawings were further objected under 37 CFR §1.83(a) for failing to describe FIGS. 2-5 as described in the Specification. Also, FIG. 7 was objected to for not describing steps 3-6 as detailed from Page 17 of the present application. Applicant has amended the Specification to include description specifically directed to these figures, with reference numbers which have been added to the drawings. No new matter has been added to the application, but rather the contents of the drawings described in the Specification by reference number. Spelling and punctuation errors have been corrected in the Specification. Accordingly, in light of the foregoing amendments and substitute drawings, Applicant believes that the objection to the drawings have been overcome.

### TIME EXTENSION

A one-month extension of time request, with appropriate fee is filed herewith.

### CLAIM REJECTIONS

Claims 1-15 were rejected as being obvious under 35 U.S.C. §103(a) over the Curley "Royal Bank unearths profitability solution" publication. However, the publication is dated April of 2000 whereas the

present application is based on a provisional patent application which was filed on April 9, 1999. Furthermore, as shown in the Declaration of Richard Tad Lepman, the publication is actually directed to the invention. In June of 1999, the inventor licensed the invention to NCR. Subsequently, NCR granted rights to the Royal Bank of Canada. The publication discusses the invention with respect to the Royal Bank of Canada. In light of this, the §103 rejection is improper and should be withdrawn.

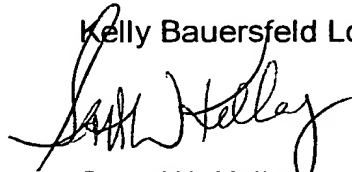
Claims 16-43 were withdrawn from further consideration due to an election to a Restriction Requirement on May 28, 2003. However, in the August 4, 2003 Office Action, it was erroneously stated that the election was made **without** traverse. Applicant respectfully quotes from the May 22, 2003 "Response to Restriction Requirement and Preliminary Amendment the statement "Contrary to the statement to the contrary in the Office Action, independent claim 1 is generic". Accordingly, Applicant believes that the election was made **with traverse**. Furthermore, Applicant continues to assert that claim 1 is generic for all claims.

## CONCLUSION

As Applicant has overcome the §103 claim rejections as well as the drawing objections, Applicant believes that the present application is in condition for allowance. Due to the fact claim 1 is generic, Applicant respectfully asserts that all pending claims 1-43 are in condition for allowance, a formal Notice of Allowance being respectfully requested.

Respectfully submitted,

Kelly Bauersfeld Lowry & Kelley, LLP

A handwritten signature in black ink, appearing to read "Scott W. Kelley", is written over the printed name.

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